

The opinion in support of the decision being entered today was not written for publication journal and is not binding precedent of the Board.

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Paper No. 104

Box Interference

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UNITED STATES PATENT AND TRADEMARK OFFICE

**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

GANESH M. KISHORE

Junior Party
(Application 08/120,703)

v.

MICHAEL M. BURRELL and
KEITH S. BLUNDY

Senior Party
(Application 08/284,199)

Patent Interference No. 104,046

Before URYNOWICZ, CAROFF, and ELLIS, Administrative Patent Judges.

ELLIS, Administrative Patent Judge.

JUDGMENT

On February 1, 2002, senior party Burrell et al. submitted a "Request for Adverse Judgment" for all the claims corresponding to the count. (Paper No. 102).

Thus, pursuant to 37 C.F.R. § 1.662(a), JUDGMENT as to the subject matter of Count 1 in issue is hereby awarded to the junior party, GANASH M. KISHORE.

INTERFERENCE DIGEST

Interference No. 104,046 Paper No. 20Name, Burrell et al.Serial No. 08/284,199 Patent No. --None--Title, MODIFICATION OF PLANT METABOLISMFiled, 08/02/94Interference with Kishore

DECISION ON MOTIONS

Examiner-in-Chief, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, Adverse Dated, 2/27/02

Court, _____ Dated, _____

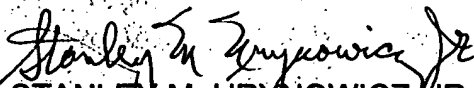
REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.

Interference No. 104,046

Accordingly, MICHAEL M. BURRELL and KEITH S. BLUNDY are not entitled to their claims 2-4, 7, 8, 13-16, 20, 21, 34 and 43, corresponding to Count 1.

On this record, Kishore is entitled to claims 2, 4-6, 8, 10, 12-15, 21, 22, 28, 30-32, 36, 38-42 and 44-55.


STANLEY M. URYNOWICZ JR.
Administrative Patent Judge


MARC L. CAROFF
Administrative Patent Judge


JOAN ELLIS
Administrative Patent Judge

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Interference No. 104,046

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